

**HUMAN SERVICES DEPARTMENT[441]**

**Adopted and Filed Emergency**

Pursuant to the authority of Iowa Code section 234.6 and 2013 Iowa Acts, Senate File 446, section 29, the Department of Human Services amends Chapter 156, "Payments for Foster Care," Iowa Administrative Code.

These amendments increase by 5 percent the monthly maintenance rate and initial allowance for youth placed in the supervised apartment living (SAL) program.

The Council on Human Services adopted these amendments on June 26, 2013.

Pursuant to Iowa Code section 17A.4(3), the Department finds that notice and public participation are unnecessary because the Legislature mandated these changes.

Pursuant to Iowa Code section 17A.5(2)"b"(2), the Department further finds that the normal effective date of these amendments, 35 days after publication, should be waived and the amendments made effective July 1, 2013, because the amendments confer a benefit on the public. Youth who are placed in the SAL foster care program will benefit by having additional maintenance and start-up funds.

These amendments are also published herein under Notice of Intended Action as **ARC 0855C** to allow for public comment.

These amendments do not provide for waivers in specified situations because the legislation does not specifically allow for waivers. Requests for waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 234.6 and 2013 Iowa Acts, Senate File 446, section 29.

These amendments became effective July 1, 2013.

The following amendments are adopted.

ITEM 1. Amend subrule 156.8(2) as follows:

**156.8(2) *Supervised apartment living.*** Effective July 1, ~~2011~~ 2013, when a child is initially placed in supervised apartment living, the service area manager or designee may authorize an allowance not to exceed ~~\$600~~ \$630 if the child does not have sufficient resources to cover initial costs.

ITEM 2. Amend subrule 156.12(1) as follows:

**156.12(1) *Maintenance.*** Effective July 1, ~~2011~~ 2013, when a child at least aged 16½ but under the age of 20 is living in a supervised apartment living situation, the monthly maintenance payment for the child shall be ~~\$750~~ \$787.50. This payment may be paid to the child or another payee, other than a department employee, for the child's living expenses.

[Filed Emergency 6/27/13, effective 7/1/13]

[Published 7/24/13]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/24/13.